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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,624	05/14/2001	Daryl Carvis Cromer	RPS919980030US2	9643

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EXAMINER

REFAI, RAMSEY

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/855,624

Applicant(s)

CROMER ET AL.

Examiner

Ramsey Refai

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Responsive to Amendment received on March 17, 2005.

Claims 10 and 15 have been amended. Claims 10-15 remain presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Aziz et al (U.S. Patent No. 6,119,234).

4. As per claim 10, Aziz et al teach a method for providing update configuration data for a client personal computer system in a data network including a server, having configuration data including an internet protocol destination address, and at least one client personal computer system having a storage device for storing configuration data and a micro controller for receiving network signal packets from the server and for configuring the client personal computer system with updated configuration data, including the internet protocol destination address of the server, comprising the steps of:

receiving a network signal packet sent from the server in the micro controller in the at least one client personal computer system (**column 2, lines 52-58**);

determining that the network signal packet includes the server's Internet protocol destination address (**column 3, lines 38-50**);

determining that the network signal packet is a match for the any one of the at least one client personal computer system (**column 3, lines 14-29, 52-58 and column 9, lines 12-25; authentication**); and

responding to the receiving, determining inclusion of the server's address (**column 2, lines 52-58, column 3, lines 38-50**) and determining that the packet is a match by updating the storage device of the any one of the at least one client personal computer system with the Internet protocol destination address of the server included in the packet (**column 3, lines 14-29, 52-58 and column 9, lines 12-25; authentication column 2, lines 52-60**).

5. As per claim 11, Aziz et al teach after the step of receiving the network signal packet, there is a step of authenticating the encryption of the network signal packet to authenticate the presence of encrypted data in the network signal packet (**column 3, lines 14-29, 52-58 and column 9, lines 12-25**).

6. As per claim 12, Aziz et al teach after the step of authenticating the encryption of the network packet, there is a step of validation of the data authenticated in the step of authenticating the encryption of the network packet (**column 3, lines 14-58 and column 9, lines 12-25**).

7. As per claim 13, Aziz et al teach determining that the network signal packet includes the servers internet protocol destination address, the presence in the network signal packet of configuration identification and configuration data is determined (**column 3, lines 14-58 and column 4, lines 3-6**).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aziz et al (U.S. Patent No. 6,119,234) in view of Crowle (U.S. Patent No. 5,857,072).

10. As per claim 14, Aziz et al fail to teach the step of determining whether the network signal packet is a match for any one of the at least one client personal computer system, there is a first determination as to whether the network signal packet is identified to any one of the least one client personal computer systems and a second determination as to whether the network signal packet is identified to a plurality of client personal computer systems.

11. However, Crowle teaches determining which of the multiple locations is to receive a data distribution. The multiple network computer locations then determine whether it is an intended location for receiving the data distribution (**column 3, lines 10-39**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the

teachings of Aziz et al and Crowle because Crowle's use of determining whether a computer system is an intended receiver of a data distribution would enhance Aziz et al's method by allow for client computer's to determine if an update of configuration data is intended for that client computer in order to avoid unwanted updates that can lead to loss of accurate configuration data.

12. As per claim 15, Aziz et al teach a method for providing update configuration data for a client personal computer system in a data network including a server, having configuration data including an internet protocol destination address, and at least one client personal computer system having a storage device for storing configuration data and a micro controller for receiving network signal packets from the server and for configuring the client personal computer system with updated configuration data, including the internet protocol destination address of the server, comprising the steps of:

receiving a network signal packet sent from the server in the micro controller in the at least one client personal computer system (**column 2, lines 52-58**);

authenticating encryption of the network signal packet to authenticate the presence of encrypted data in the network signal packet;

determining that the network signal packet includes the server's Internet protocol destination address (**column 3, lines 38-50**); and

responding to the receiving, determining inclusion of the server's address (**column 2, lines 52-58, column 3, lines 38-50**) and determining that the packet is a match by updating the storage device of the any one of the at least one client personal computer system with the

Internet protocol destination address of the server included in the packet (**column 3, lines 14-29, 52-58 and column 9, lines 12-25; authentication column 2, lines 52-60**).

13. Aziz et al fail to teach the step of determining whether the network signal packet is a match for any one of the at least one client personal computer system, there is a first determination as to whether the network signal packet is identified to any one of the least one client personal computer systems and a second determination as to whether the network signal packet is identified to a plurality of client personal computer systems.

14. However, Crowle teaches determining which of the multiple locations is to receive a data distribution. The multiple network computer locations then determine whether it is an intended location for receiving the data distribution (**column 3, lines 10-39**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Aziz et al and Crowle because Crowle's use of determining whether a computer system is an intended receiver of a data distribution would enhance Aziz et al's method by allow for client computer's to determine if an update of configuration data is intended for that client computer in order to avoid unwanted updates that can lead to loss of accurate configuration data.

### ***Response to Arguments***

15. Applicant's arguments filed on March 17, 2005 have been fully considered but they are not persuasive.

- In the remarks, the applicant argues in substance that:
  - a. Aziz makes no mention of any packet being transmitted or received;

- b. Aziz makes no mention of any determination that a packet includes a server's address;
  - c. Aziz makes no mention of matching a signal packet with a specific system;
  - d. Aziz makes no mention of updating a storage device.
- In reply to:
    - a. Examiner respectfully disagrees because Aziz teaches a network administrator that communicates with a client. Although the word "packet" is not explicitly used,, it is inherent and well known in the art that packets of data would be sent when communicating in a computer network. **(see column 2, lines 52-58);**
    - b. Examiner respectfully disagrees because Aziz teaches that a network administrator store the addresses of protected hosts with which one or more clients can communicate in one or more static configuration files on those clients. **(see column 2, lines 52-58, column 3, lines 38-50);**
    - c. Examiner respectfully disagrees because Aziz teaches the use of privacy, integrity and authenticating techniques in order to provide secure communications between a host and a client. To do so, packets that identify a host/client would need to matched/validated in order to verify that the client/host and the communications between them are secure. **(see column 3, lines 14-50);**
    - d. Examiner respectfully disagrees because although the word "storage" is not explicitly used, storage is inherent in a client computer. Aziz teaches that a network administrator stores addresses of hosts on configurations files, which are stored on client



computers. These configuration files would have to be updated every time the addresses of these hosts changes. (see, column 2, lines 52-67).

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai  
Examiner  
Art Unit 2152

RR  
June 16, 2005



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SUPERVISORY PATENT EXAMINER  
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